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THE
LIFE AND CHARACTER
OF THE
HON. RICHARD SKINNER;

A

DISCOURSE READ BEFORE AND AT THE REQUEST
OF THE VERMONT HISTORICAL SOCIETY,

AT

MONTPELIER, OCTOBER 20. 1863,

BY

WINSLOW C. WATSON.

ALBANY, N. Y.:

J. MUNSELL, 78 STATE STREET.

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Gentlemen of the Society :

While I return my sincere thanks for the privilege of appearing before you on this occasion, I unite with you in regretting that the eminent gentleman to whom the invitation of the Society was first very appropriately addressed, has not been allowed by circumstances to gratify your wishes. My labors, however, have been relieved and gilded by the materials which he and other prominent citizens of your State, have with great kindness and alacrity supplied me.

The intimate and affectionate relations which existed between Mr. Skinner and myself, would have embarrassed the expression of opinions which my individual feelings and judgment might have dictated. The appreciative views of his character and services by other persons, whose utterances are not restricted by the barriers with which I am surrounded, and who are far more familiar with the events of his active life, will essentially supply the elements of this paper. In a domestic in-

tercourse of several years, which was always confidential and kind, I rarely heard Mr. Skinner allude to his judicial or political life. His characteristic modesty and habitual reticence seemed to shrink from any discussion of his eminent public services.

I congratulate you, gentlemen, upon the wisdom and patriotism which suggested the organization of your Society, and on the energy and spirit with which its objects have been pursued. Abroad, it is regarded among the most conspicuous and valuable institutions of the State. Similar associations exist in other parts of the Union ; but I know of none whose operations are conducted with equal zeal, or where the results are so tangible in the rich treasures which are accumulating to aid and guide the researches of the future historian — The acts and services of individuals, form the materials of a nation's annals. Garner up the authentic legends and traditions of prominent men, and preserve the records of their transactions, and you create a centre of light and intelligence which will illumine the history of your State.

I have been amazed by observing in my own local researches, the ravages made by a single decade, among the fountains of oral history in a community. Visit any new district of our country and attempt to trace the annals of its early settlement, and you will probably be met with the response, that often arrested my investigations, "had these inquiries been made a few years ago, persons were then living who could have imparted all the information you desire." The facts and incidents which they had gathered up, with industry and forecast, were then lost forever.

Can we calculate the illumination which would have been shed upon the chronicles of Vermont, had your fathers anticipated

pated your labors by one half of a century? You do not require any inspiration from my eulogiums; yet I can not restrain a humble tribute to the utility and importance of the services you are rendering to posterity.

Sixty-three years ago, Vermont was the land of realization as well as hope to the aspiring youth of New England. The portals of the vast West had not then been opened; and even New York, in its most luxuriant territories, was scarcely accessible to the emigrant. Vermont allured to its borders, not alone from the beauty and magnificence of its scenery, the exuberance of its soil, and the salubrity of its climate, but far more, by the romance and brilliancy of its history. At that period, the Green Mountains were, to the teeming hives of Connecticut, what the prairies of the West have been in our own age.

The Hon. Robert Pierpont, who, although a lad, had fallen at an earlier day into this tide of emigration, furnishes me with this graphic picture: "Sometime," he writes, "in September, 1800, a young gentleman rode up to the hotel in Manchester, on a small, active road horse, with capacious saddle-bags, well filled. He was a slender, straight, trim-built young man, courteous in his manners, with very black eyes and hair, and dark complexion — dressed in the usual costume of that day, of equestrian travelers — a blue dress coat, light vest, and olive colored velvet cheerivalles over his pants and boots, with spurs. I at once recognized the traveler as Richard Skinner, whom I had known in Litchfield."

This young gentleman, thus pleasantly introduced by Governor Pierpont, and who was destined to perform so conspicuous a role in the great drama of public affairs in his adopted State, was the third son of General Timothy Skinner of Litchfield, Connecticut. General Skinner had been an officer in the army

of the Revolution, and was remarkable, in deportment and costume, as a gentleman of the old school. Although in moderate pecuniary circumstances, he occupied a highly respectable social position, and exercised a large political influence in his community. General Skinner traced his lineage through a reputable line of ancestry in this country, back to the commencement of the last century.

Richard was born at Litchfield, on the 30th of May, 1778, and received his baptismal name in memory of the heroic Montgomery. His mother was Susannah, the daughter of Isaac Marsh, who was descended from one of the first settlers of Litchfield. In the maternal line, Richard Skinner was closely related to several emigrants from his native State, who have been intimately and most honorably associated with the political and judicial history of Vermont. I refer to Horatio Seymour, who so long and faithfully represented the State in the federal Senate -- to Samuel S. Phelps, whose name was a synonym for talent and learning, and to the Honorable Robert and John Pierpont, a former and present Judge of your Supreme Court.

Roger Skinner, an elder brother, settled on Sandy Hill, New York, a little earlier than the emigration of Richard to Vermont. He occupied, until the close of his life, a most conspicuous position in his profession, and in the politics of that State. He was District Attorney, and afterwards Judge of the United States District Court, and a member of the State senate, in the palmy days of that body, when it was enlightened by some of the brightest intellects of the nation. During a long series of years, Roger Skinner was the close personal friend of Martin Van Buren, forming with him a common household, and his confidential political adviser. They were both members of that mighty, but intangible, power, "The Albany Regency," which

for many years controlled the destiny of New York. Another brother, Oliver, migrated in youth to Georgia, and after attaining professional distinction, died there, at an early age. A still younger brother, James, fell at the threshold of manhood, while developing the highest qualities of mind and character. These brothers exhibited one of those rare spectacles, in which an entire family are distinguished by eminent intellectual endowments.

Richard Skinner enjoyed no higher educational advantages than those afforded by the ordinary common schools of his youth. While a mere lad, he left home to occupy the situation of clerk, in a store at New Haven; and he subsequently spent a year in the same employment in the city of Albany. He remained in these instructive schools for practical life, until he entered the celebrated law school in Litchfield, where he accomplished his professional education. Tradition relates that he made great proficiency in his studies, under the guidance of its eminent professors, and in attending the lectures of that institution.

He had just received his professional diploma, when he made his advent in Vermont, in pursuit of fortune.

“The world was all before him, where to choose.”

The horse he rode, and the contents of the “capacious saddle-bags,” constituted all his worldly estates.

Mr. Skinner arrived in Vermont while society was convulsed by the throes of that stupendous political revolution which shook the Union to its deepest foundations. The interval between 1798 and the war of 1812 witnessed the prevalence of a party spirit intenser, more rancorous and bitter, than at any other period has inflamed the angry passions of our people. The party controversies of that age were stimulated by the loftiest and most momen-

tous questions of Constitutional law. These controversies were not ignoble contests to secure governmental patronage; they were not animated by mere individual preferences, nor dictated by the evanescent schemes and expediencies of the hour. They involved the construction of that great charter, which each party alike professed to cherish and revere. The Constitution, in that epoch of our history, was not merely a waxen image, to be moulded and changed by every passing pressure. The principles of Republican institutions were to be enunciated; the enduring policy of the government in its new foreign relations was to be inaugurated; and the basis was to be formed to support the fabric of our approaching national greatness. The impassioned conflicts of opinions, in interests so vast, and questions so exciting and transcendent in importance, tore society asunder, as the veil of the temple was rent.

These party collisions shattered into fragments the harmony of many a domestic circle — the amenities and intercourse of society were arrested at party lines — the festivities of youth were restrained or divided by their influences — and the sanctuaries of God were distinguished by party names, and profaned by the presence and the fends of party animosities. Excitements, dissensions and conflicts, like these, were calculated to evolve all the energies of a young and mighty people: and we know that giants lived in those days. The professions, in the patronage they received and the influences they exerted, were deeply affected by political considerations; and, if we listen to the legends of parties, we may conjecture, without any probable injustice, that they penetrated even into the temples of Justice.

In the early part of the present century, the county of Bennington sustained a controlling attitude in the political affairs of Vermont. The prestige of her people, acquired by their

heroic defence of popular immunities against external aggression, and by their Revolutionary fame, was still redolent and brilliant. Influential families and commanding intellects were concentrated in the village of Bennington, which formed a focus of Republican principles, from which an influence was diffused that pervaded the whole State. By a singular coincidence, while a large majority of the legal profession in the south part of the county were Republicans, every member of the bar in the north shire, the central power of which was located at Manchester, was attached to the Federal party. Mr. Skinner was a decided and ardent Republican; and his loyalty to democratic principles never faltered or decayed. In the existence of such circumstances, it was natural that the Republican dynasty (as in those days this influence was designated) at Bennington should be most solicitous to secure the location in the Federal district of the county, of a young man and a political disciple, who bore the highest credentials of character and capacity. Influential individuals in Manchester united in urging Mr. Skinner to establish himself in that picturesque village. Strong inducements had previously been presented by prominent gentlemen in the eastern section of the state, to prevail on him to open an office in Windham county. In accordance with their earnest invitation, he determined to visit that county before deciding on a permanent location. Judge Pierpont thinks Mr. Skinner was admitted, during that visit, to the County Court of Windham. On the return from his eastern tour, he adopted the village of Manchester as his future home, and resided there the residue of his life ; and there is his sepulchre.

The bar of Bennington county at that time embraced several

members of distinguished reputation, four of whom had already occupied seats on the bench of the Supreme Court. The courts of Bennington were also habitually attended by the most eminent Counsel from the adjacent counties, and from other states.

The Federal party, in the wanton and intolerant exercise of the power it grasped at the election of '98, had swept from position every prominent official in the county, except the Chief Judge, Samuel Safford, whose venerable character, and the judicial services of more than a quarter of a century, alone shielded from the proscription of party violence. In 1800 the Republicans secured the ascendancy in the General Assembly, and adopting the precedent established by their antagonists, restored to office all their friends who had been removed during the Federal domination. This movement placed the incumbent of every county office in the South shire. The Republicans maintained their preponderance at the succeeding election, and the North shire demanded a distribution of the offices. The incumbents were distinguished by their peculiar capacity for their respective stations (and capacity in those days, Judge Pierpont remarks, "was esteemed a desirable qualification for office"), and to supersede either of them was a delicate and embarrassing step. The controversy was ultimately conciliated by conceding the appointment of State's Attorney to the North shire. This was promptly conferred on Mr. Skinner.

He held the office of State's Attorney without intermission until he was removed, in 1813, when the Federalists had retrieved a temporary ascendancy in the Legislature.

On the 18th of September, 1803, Mr. Skinner was married to Fanny Pierpont, the eldest daughter of Robert Pierpont, Esq., of Manchester — Combining with singular energy of character

and masculine powers of mind, the noblest qualities of the woman, she was the fitting companion of a great man; and for nearly the third of a century, was to her husband a devoted wife, a wise counselor and efficient helpmate.

In the year 1806, Mr. Skinner received the appointment of Judge of Probate, for the Manchester District, and retained the office until the political revolution in the State, of 1813. The most active period in the professional career of Mr. Skinner, was probably between his admission to the courts of Vermont and his entrance, in 1813, into political life. He remained only a brief term in a subordinate position at the bar ; but steadily and rapidly advanced to the front ranks of the profession. The Hon. Leonard Sargeant thus describes the professional standing of Mr. Skinner :

“ When I entered his office as a Law student, in 1812, in addition to an extensive professional practice, he was a distinguished advocate — may be said to have been engaged in all the litigated cases in Bennington county, and to a considerable extent in Rutland and other adjacent counties, and also in the Circuit and District Courts of the United States.”

Soon after his appointment, as I infer, Mr. Skinner, as State’s Attorney, conducted a trial under an indictment for murder. This was the first trial for that offense in the county, after the conviction of Redding under the jurisdiction of Ethan Allen, and created a profound and universal sensation. The celebrated Pierpont Edwards, of New Haven, led the defence, and the trial resulted in a verdict of manslaughter. Mr. Edwards, whose keen and sagacious mind could adequately appreciate talent, and discern the presages of future distinction, speaking of the trial, and referring to Mr. Skinner, remaked : “ That young man will make a high mark in your State.”

The texture and qualities of Mr. Skinner's mind were preëminently adapted to secure general professional success, and to the peculiar achievement of distinction as a Counselor and Advocate. The Hon. Milo L. Bennett, who for many years was the neighbor and intimate friend of Mr. Skinner, has favored me with the following most just and striking portraiture of his professional character and habits: "In respect to his character as a Lawyer and Judge, hardly too much can be said in his praise. He was an honest Lawyer and had great industry in his profession. He would so understand his client's case, and so analyze the matter, as to get hold of the right, which in his hands was as "the sparkling diamond." His native talents for the bar were of the very first order, and he was well educated in the profession at the Litchfield school. In his arguments to a Court and jury, he was logical and clear, almost beyond any man I ever heard. His arguments were always arranged in the most convenient order, and best adapted to illustrate his subject. He always argued the very case then before the court."

"His style of speaking was free, calm, clear, chaste, concise and precise. He well understood how to express ideas by words, and the very ideas, too, he wished to express. Although animated and forcible in his style of speaking, he was never turgid. Bombast and rant had no favor with him. His manner had the simplicity of a child. He was somewhat peculiar as a man of order — everything had a place and was in the right place. His law was compressed and stored in his mind for future use."

"The facility with which, as an advocate or a judge, he would unravel complicated cases, and make 'the right' clearly to appear, was to be attributed in no small degree to the order

and precision with which legal principles were stored away in his mind. He took a deep interest in his client's cause, and if his client did not succeed it was rarely if ever the fault of his counsel. Indeed, I always regarded Richard Skinner as one of the safest and most trustworthy Lawyers with whom business could be intrusted."

After adverting to the uncommon familiarity of Mr. Skinner with legal principles, Judge Pierpont remarks: "He had a clear, logical and discriminating mind to make application of these principles to the events passing before him, and a mode of communicating his own perceptions to those he addressed, so that they must understand. I have, when a boy, heard the judges of the Supreme Court say that Skinner would carry his case by his opening statement."

To this glowing homage, from such sources, to the professional reputation of Mr. Skinner, I need add no sympathetic opinion of my own. I always observed with great admiration the presence of peculiar qualities in the intellectual organization of Mr. Skinner, which I can readily conceive must have imparted vast power and effect to his efforts as an advocate. He was endowed with a wonderful forecast, by which he seemed in the ordinary affairs of life to discern and penetrate the future, with almost the prescience of prophecy. Another of these characteristics, was the rapid and intuitive perception by which he would grasp and comprehend the most intricate subjects. The flashes of his mind would illuminate a whole theme by an instantaneous conception of all its bearings. Mr. Skinner possessed another distinguishing trait of mind, which is far from being the uniform accompaniment of great intellectual powers — a clear and accurate judgment founded upon a vigorous practical good sense.

Governor Sargeant reveals a most attractive glimpse of the inner professional life of Mr. Skinner, in a genial and graceful recollection of youth. He says: "One peculiarity in him it is to be regretted is not more general in the legal profession. He did not consider his whole duty discharged to young men in his office by giving thorough professional instruction, but uniformly impressed on their minds a high sense of their moral duties as Lawyers and citizens; strongly urging on them the absolute necessity of strict integrity as essential to the gaining a high and honorable position in the profession. And this principle was on his part always carried out by a lofty example. I believe I can strictly say, that so far as I ever made any progress from a green, reckless, thoughtless boy towards a man, I am more indebted to his counsel — always so kindly given — than to all other causes."

Mr. Skinner commenced his political career at a period when the intense and bitter party spirit to which I have referred had reached its deepest exasperation. In principle and by his matured convictions he was Republican in his political sentiments. He had yielded his sanction and support to the policy which had culminated in the declaration of war against England, in all the ardor of youthful enthusiasm, and with all the energies and earnestness of his character. Every member of the former Congress from Vermont, except Mr. Chittenden, had voted for that bold and decisive measure. Without an army, with only the shadow of a navy, destitute of finances, and the popular sentiment of the nation irreconcilably divided, the Republican party did not pause to calculate contingencies. Patriots could discern no other refuge or vindication of the fame and honor and outraged rights of the nation save by the stern arbitrament of arms. The war of 1812 has been termed,

not inappropriately, the second war of Independence. If, by the first, our country received its national existence; by the second we asserted our position in the family of nations, and burst the vassalage of the seas. The dogma of despotism which denied vigor and patriotism to free institutions was subverted, and by deeds of glory and in scenes of heroic sacrifices we wrested from the world its respect and admiration.

Patriots of every name responded in the spirit of '76, to the appeals of the government, unappalled by the darkness, doubts and perils that brooded over the issue. The Federal party was at that period powerful by its numbers, and formidable from its wealth, its antecedents, and the exalted characters of its leaders. Those wise and sagacious leaders, however, with rare exceptions, were deluded into the mistaken and fatal policy of opposing the government in a contest that involved the glory and existence of the nation.

Parties occupied these antagonistic attitudes in December, 1812, when the Republicans of Vermont presented James Fisk, William Strong, William C. Bradley, Ezra Butler and Richard Skinner, as candidates for Congress, and exponents of their principles. Mr. Bradley is the sole survivor of this patriot band ; and venerable in years and character, he lives to impart with oracular wisdom, like Nestor, to the third generation, the lessons of his youth and experience of his age.

Although the Republicans had held a decided ascendancy in Vermont, party strength was so nearly balanced in the State, that this preponderance was liable to be disturbed by the occurrence of any inauspicious event. The conduct of the war had been discreditable, and its results disastrous and pregnant with ill-omened auguries for the future. This fact necessarily exerted a sinister influence upon the Administration candidates,

in a frontier State, at an election transpiring immediately upon the close of such a campaign.

Another incident was still more depressing in its effects. The election occurred while the drafted militia of the State were returning from the northern frontier. They had been discharged by the Government without pay and with no arrangements having been made for a comfortable return to their homes. They were generally destitute of all means ; and, as they wandered along the highways of the State, were dependent for subsistence upon public or private charity. They sickened and died upon the roads, of a frightful pestilence, the germs of which they widely diffused, and which spread in terrible desolation through New England. The Federalists were not remiss in seizing this new weapon in party warfare, and raised a wild clamor against the recklessness and sordid policy of the Administration, and pointed to these horrors as incidents and results of its measures.

The canvass which followed, was perhaps the most vehement and imbibited contest that ever agitated the politics of Vermont. The issue was exceedingly doubtful, although the Republican candidates were elected by a very close and unsatisfactory vote. At the ensuing election in 1814 they were defeated, and their places in Congress occupied by Federal successors.

The 13th Congress was one of the most able and momentous which has convened since the angst and memorable Assembly that proclaimed our national independence. It was remarkable for the bright constellation of youthful statesmen, which had then just appeared above the horizon. Some of these, growing more and more resplendent as they advanced in their course, imparted a lustre to the history of their country by their wis-

dom and eloquence, and sank to rest amid a nation's tears and reverence. One, second to no other in the massive grandeur of his intellect, or in an early fame, resting on patriotic services, darted at length from his orbit, and like an eccentric and malignant meteor shedding a baneful influence over the land, left to his country a heritage of woe. I need scarcely recall the memory of Webster and Clay — of Calhoun and Grundy and Lowndes, as among the brilliant members of this illustrious Assembly.

Mr. Skinner does not appear to have actively participated in the debates of the House. It was a forum not adapted to his tastes and habits. He was young, modest and retiring, and oppressed by an infirm health, that paralyzed his activity through life and marred his usefulness. In the first session he was placed on the eminently important Committee on Naval Affairs, and in the second session was also a member of the Joint Committee on Enrolled bills. In this capacity Mr. Skinner enjoyed the grateful distinction to an ardent and exultant patriot, of reporting to the house a resolution commemorative of the achievements of Burrows, McCall and Perry. I also find his name on special Committees of importance.

At the expiration of his term in Congress, Mr. Skinner returned to his professional duties, with augmented zeal and interest. The affinities of his mind and feelings were more in accordance with efforts at the bar, than in the conflicts of the political arena. His career in public life was marked by eminent ability and the most effective services ; yet the cabals and gladiatorial combats of politics were not adapted to his studies, nor congenial with his tastes. The gentleman from whose comprehensive letter I have so freely quoted, observes : "Though

I have no doubt in the more youthful portions of his life, Mr. Skinner had some aspirations for political distinction, yet on the whole I think he found little pleasure in the strife and contention of political life." Judge Bennett adds : "Thus much, I feel, however, may in truth be said of Richard Skinner as a politician : He was both 'honest and capable,' and on trial was found adequate to discharge well the duties of any political office the people chose to confer upon him."

Mr. Skinner was a lawyer from instincts as well as the science of books. Nature had moulded his mind into a peculiar adaptation to the profound and earnest researches of jurisprudence, and for the logical, although unpremeditated discussions of the bar. The love of the profession was with him an impassioned sentiment. Allusion has been made to the zeal and interest with which his feelings were blended with the cause of his client. The force of this feeling was illustrated by an incident which I often heard adverted to in the family. Mr. Skinner had returned from a journey, in which he sought relief from an attack of a nervous affection, induced by intense professional labor, just as the Circuit Court was opening its session. He judged himself incompetent to an appearance in Court, and had yielded to other Counsel the charge of his business. One client, more sagacious or decided than the others, insisted on his attendance during an important trial, to observe its progress, although he should have no participation in its conduct. With great reluctance, Mr. Skinner yielded to this importunity. The case proceeded; his interest was gradually aroused; soon he began to offer suggestions; and at length all his professional enthusiasm was enkindled; his malady was cast off, and he threw himself with a wonted energy into the trial. The veil was lifted from his mind; his nerves recovered

their natural tension, and through the remainder of the term he assumed his usual active position.

The Republican party, at the election of 1815, resumed its ascendancy in the State. Mr. Skinner was elected a Representative from Manchester. The appointment of a new Supreme Court was one of the earliest measures of the Legislature. The Hon. Asa Aldis was appointed Chief Justice, and Richard Skinner and James Fish, Associate Judges. After his appointment, Mr. Skinner did not engage actively in the legislative business of the session. The next year Judge Aldis declined a reëlection, and Mr. Skinner was elevated to the position he had so worthily occupied. In 1817 Judge Skinner was again elected Chief Justice; but physical infirmities compelled him to withdraw from the bench.

He was a second time, in 1818, elected a Representative to the General Assembly, and was chosen Speaker of the House. During this series of years, in the intermission of public duties, Mr. Skinner was vigorously pursuing his professional labors, and in the attainment of eminent distinction.

In the year 1819 he was leading Counsel for the defendants in the extraordinary trial of the Boones, for the alleged murder of Russell Colvin: one of the most remarkable trials in the annals of Courts, and which is justly classed among "The Causes Celebres" of criminal jurisprudence. It was an instance of those strange popular delusions, which sometimes sweep through the most intelligent and conscientious communities, subverting truth and reason and justice. Mr. Skinner once said to me "that it would have been as easy to resist the cataract of Niagara as to arrest this torrent of passion and prejudice." After struggling in vain before the Court and jury, to save the Boones, Mr. Skinner, in connection with other citizens, appealed to the Legislature.

Here, one of the Boones was rescued from an impending scaffold, to be consigned to perpetual imprisonment; but the other was left to the course of his sentence. Mr. Skinner then embraced the last and desperate expedient of attempting to trace Colvin by the agency of the press. This course, by a singular coincidence of events, led to his discovery in the interior of New Jersey, where, years before, he had wandered an idiotic maniac. He was brought back to Manchester, amid the ringing of bells, the pealing of cannon, and the shouts of a people who trembled in contemplating the precipice toward which they had been impelled by their sad delusion. The multitude stopped not for the cold process of the law, but rent asunder the chains of Boone, and restored him at once to his family and freedom.

At the election of 1820 Mr. Skinner was chosen Governor of the state by almost a perfect unanimity in the popular vote. After the signal discomfiture of the federalists, in 1817, until the year 1827, when the Anti-Masonic excitement surged over the state, no organized opposition to the predominant party existed. The three successive terms in which Mr. Skinner occupied the executive chair, was a period of great prosperity to the people, and of social and political calm. The era of good feeling prevailed; our country was advancing quietly, but by colossal strides, in her course of greatness and power; we were agitated by no domestic convulsions or external perils. No event, therefore, occurred to render his administration memorable, or to impress any especial interest upon his state papers.

The communication of Judge Bennett embraces this idea: "Mr. Skinner was evidently from early life a favorite of the people." The justness of this view is attested by the multiplicity of offices he received from the spontaneous action of the

popular heart. This fact may doubtless be attributed to the universal reverence felt for the purity and integrity of his character, and the commanding influence of his great abilities. But I think it should also in part be referred to the singular harmony in sentiments, habits and opinions which subsisted between him and the people with whom his fortunes were associated. The population of Vermont, at the epoch of Mr. Skinner's public career, was one of the most homogeneous and distinctive communities in the Union. The opinions and principles of no people were so little modified by extraneous influences. Intercourse was slight and unusual between the masses and the external world. The arrival of the mail or the post coach, in many sections of the State, was the exciting event of the day or the week. No huge cancers ulcerated upon the body politic. While instances of great estates rarely occurred, cases of extreme poverty were almost equally remarkable. A respectable competency generally prevailed. High intelligence, social refinement, and the amenities of life characterized the educated classes. But with all this there existed great practical and social equality, and little ostentation in customs; while a uniform republican simplicity was impressed on all the features of society. By its mountains and isolation, from the character of its people and their all pervading love of liberty, Vermont was regarded the Switzerland of America; and the Ark of freedom, however tost and driven by the tempest elsewhere, might here have found an Ararat of safety and of hope.

In all their peculiarities of habits and sentiments Mr. Skinner was a symbol of the people of Vermont. Deeply imbued with democratic tastes and principles, he was cordial and unpretentious in his manners; simple in his habits, and identified

with the feelings and interests of his neighbors: he harmonized with the people.

While indulging in this train of reflections in regard to your State, I refer to a period which has now become historical, and I trust therefore that I am not amenable to the censure of interfering with those things with which a stranger should not meddle. Nor am I willing to be held to that position. I was once proud in being a freeman of Vermont, and my deepest and tenderest affections still linger around its homes and its graves.

In a delicate and fastidious recoiling from urging himself any pretensions, or allowing his friends to exert any influence to promote his preferment, the views of Mr. Skinner were peculiarly assimilated to the opinions which, at that time at least, prevailed among the citizens of Vermont. He felt that office should seek the individual, and this feeling became with him a controlling principle. I recollect on one occasion suggesting to him the propriety of adopting some slight measure, which I was assured would secure his election to a dignified position. He replied, and the earnestness of his manner almost approached a rebuke, "I never have and never will raise a finger to promote my personal advancement."

The testimony of Judge Pierpont, one of his most true and confidential friends, is emphatic in reference to this marked trait in the character of Mr. Skinner. He says: "Mr. Skinner would have considered it a gross violation of good rules to make any effort to obtain office for himself; and although he knew I was ardently attached to him, and was in a situation to afford effective aid to his success when he was a candidate for office, yet I do not recollect that during the whole course of his political career he ever requested me to do anything, or

advised with me, in relation to any means or efforts calculated to promote his success."

In his third executive message, which was at the session of 1822, Mr. Skinner announced the determination not to be a candidate for reëlection. Upon the termination of his services as Governor the Legislature with equal promptitude and unanimity recalled him to his former position of Chief Judge of the Supreme Court, vacated by the election of Judge Van Ness as Executive of the State. Mr. Skinner was annually elected to this eminent place in five consecutive years. In 1828 his declining health admonished him to decline a re-appointment. "But," Mr. Sargeant writes, "such was his high reputation as a jurist, that the Legislature was not disposed to dispense with the services of a man who had done so much to bring the judiciary of Vermont to its elevated reputation, and the position, in the last hours of the session, was again forced upon him." A free and emphatic homage like this to jndicial character has few, if any, parallels in the annals of the bench in this or any other Government.

The judicial career of Richard Skinner, although a large proportion of his decisions were never published, forms the loftiest and most enduring monument to his fame. The following vigorous and appreciative delineation of his qualities as a judge is from the pen of a former member of your judiciary, who practised in the courts over which Judge Skinner presided during the whole of his judicial administration. Judge Bennett remarks:

"As a Judge, it is no flattery or exaggeration to say of him, he was a model judge. Not that he surpassed all other judges in strength or legal acumen — many were his equals in these respects, and some, no doubt, his superiors — but he had a rare

facility, an adaptedness in trying causes. He presided at a trial with ease and true dignity, and at once commanded the respect of the bar. He was uncommonly accurate in all the details of a trial, and patient in understanding fully both the facts and the law of the case on trial. In his charges to the jury he was remarkably lucid, and could rarely be misunderstood by Counsel or jury. Though his manner of charging a jury was not dictatorial, yet it was decisive, and he evidently impressed upon the mind of a jury that it was their duty to follow unhesitatingly the instruction of the Court. It was rare that you could find a Judge who would preside so well at a jury trial as Judge Skinner. As a Judge in *Banc* he had most excellent qualities. He was patient of investigation, accurate as a lawyer, and inflexible in his purpose to have the true law of the case govern the Court in the decision of the cause. He was truly conservative as a Judge, and utterly opposed to upsetting long and well established precedents. His idea was that it was the business of a Judge to administer the law as he found it, not to make new law, because the old did not suit him."

The tribute of Mr. Sargeant is corroborative of this exalted estimate of Mr. Skinner's judicial character. He says: "All his reported opinions shew great research into authority — basing his conclusions on adjudicated cases, rather than the theories of elementary writers. Hence the mere dicta so often thrown out by even able Judges, weighed little with him, unless sustained by good reasons." No jurist ever erected a loftier standard of an elevated judiciary. He felt that the ermine should not only be unspotted, but that it should be unsullied by the breath of suspicion on the personal character of him whom it distinguished. Although most unpretentious in asserting his individual claims to consideration, as a Judge, he always exacted

respect, and upon the bench assumed an attitude of severe dignity that almost reached a chilling sternness. It was a common remark among the people, that Judge Skinner required no official to preserve order in his courts. A single glance from his dark and piercing eye, raised from his notes, was enough in a moment to suppress any disturbance in the most crowded court room.

After retiring from the bench, in 1828, Mr. Skinner did not again enter into public life.

In the dislocation of the Democratic party, and the contests connected with the elevation of General Jackson, Mr. Skinner sustained the policy and the candidate of New England. He adhered in 1832 with generous attachment to the declining fortunes of Mr. Clay.

Mr. Skinner was a zealous and efficient promoter of the interests of education, in all its departments. In 1817 he was elected to the Board of Trustees of Middlebury College, and in the same year received the honorary degree of Master of Arts from that institution. He was President, for many years, of the "N. W. branch of the Education Society." He was the intimate friend of Joseph Burr, and his adviser in the distribution of a vast estate. Mr. Skinner drew the will (impregnable through his skill and caution to the severe assaults to which it was subjected), which diffused in deep and fertilizing streams, such vast beneficence, to varied institutions of learning and Christian benevolence.

After the retirement from the bench, until his death, in 1833, infirm health incapacitated Mr. Skinner from engaging in any active occupation. In this interval he spent one or two winters at the South. His health and vigor appeared to improve in the

spring of 1833; and he stated to me, after his injuries, that on the morning of the 10th of May, as he was preparing for his fatal excursion, the thought crossed his mind that his symptoms of returning health were more favorable than they had been for many years. He left home with Mrs. Skinner, in a light vehicle, to cross the turnpike through a gorge in the Green Mountains. The horse slightly started from the road, and the carriage striking a trifling obstacle, he was thrown out. In his anxiety for Mrs. Skinner's safety, he retained the lines, and was thus drawn violently over some stones. Several ribs were broken, and other severe internal injuries inflicted. He lingered in great suffering until the 23d of May, and died with the full possession of his faculties, serene, resigned and happy.

A death of such calmness and submission, was amply assured by a well spent life, and a clear and firm Christian hope. A day or two before he expired, Mr. Skinner desired me to feel his pulse. When I was startled by its frightful acceleration, he looked up, with a placid and beaming countenance, and remarked: "My feeble frame can not long endure a torrent like that; but I would not turn over my hand to decide the issue of life or death." He had not then reached his fifty-fifth year — a period of life when he should have been in the ripeness of his age, and in the plenitude of his powers and usefulness.

Mr. Skinner had three children who reached an adult age. One daughter preceded her father to the grave; another died in 1845; and his only son, the Hon. Mark Skinner, a resident of Chicago, still lives. Mrs. Skinner within a few years was slumbering with her husband beneath the same marble memorial, in the bosom of her beautiful native valley, and amid the gorgeous Alpine scenery which encompasses it.

From early life Mr. Skinner had yielded his intellectual convic-

tions and profound reverence to the truths of the Christian faith; but it was not until towards the close of his life that he was led through the paths of deep domestic affliction to the Cross of Christ for hope, strength and consolation. He united with the Congregational church in 1829, and from that act his Christian course was firm and consistent, onward and upward. He engaged earnestly in the performance of every religious duty and observance, and in the patronage and promotion of all benevolent and moral objects. Mr. Skinner became deeply enlisted in the Sunday school operations, and devoted himself each Sabbath to the patient instruction of a Bible class.

No public man ever diffused a wider or more benignant influence in society than that exerted by Mr. Skinner upon the community with whom he resided. None was ever more loved and revered while living, or whose memory was more cherished and venerated when dead.

In relation to the personal character of Mr. Skinner Judge Pierpont observes: "I think I knew him thoroughly. He appeared to place the most implicit confidence in me in all business matters, and I never knew a man of more strict and unbending integrity. He never could abide anything mean or tricky either in business affairs, professional practice or politics." Judge Bennett has obliged me with a more extended commentary on the private life of Mr. Skinner: "I had," he says, "every facility to become well acquainted with the distinguishing traits of his character, both private and public. His moral tone was high, and I think him to have been one of the most conscientious men I have ever known. A purer minded man has seldom visited this earth. I now do not recollect of ever hearing him make an impure allusion. He was inflexible in his purposes to do right. In conversation he was

animated and highly instructive. Although his thoughts were quick, they were almost uniformly just and sagacious, and evinced a most reflective mind. His advice in all the ordinary concerns of life was of the most valuable kind; and most valued by those who knew him best. He was quick to foresee good and to predict evil, and was always ready to give a satisfactory reason for his conclusions. He was easy and familiar in conversation, and made others feel easy in his company, but always dignified in his deportment. Frivolity in action or conversation found no favor with him. He seemed conscious that he was an immortal being, and that it was his happiness to do right in all his public and private relations. In his relation as husband and parent he was thoughtful, kind and affectionate, and yet very decided in his influence. As a husband and father he furnished an example worthy of all imitation."

I close my quotations from these historical documents, by a brief but significant extract from the letter of Mr. Sargeant. "Of his social qualities," he says, "in the domestic circle, as well as in every thing pertaining to good order in the community, he might be said literally to be always right"

In the rapid outline I have exhibited of the intellectual powers, the public services, and the domestic and social qualities of Mr. Skinner, formed rather from the convictions and judgment of those who knew him best, than by my own filial impressions, I have presented the lineaments, not only of a great, but those of a just, pure and good man. All who are able to recall the memory and career of Richard Skinner, will recognize and approve the portraiture.

To the animated and discriminating views of the eminent gentlemen whose recollections have afforded me such affluent fountains of information, I can desire to add little flowing from

my personal knowledge or opinions. In the domestic intercourse of Mr. Skinner, a gentle kindness and affectionate care prevailed that diffused about his household an atmosphere of almost feminine tenderness. He formed a home where intellectual culture, refined taste, and a genial but unostentatious hospitality revealed their influence; in which deep and unaffected piety manifested its power and adorned and sanctified the circle. The natural feelings of Mr. Skinner were quick and impulsive, and his temperament ardent and impassioned; but these infirmities were first controlled by reason and judgment, and afterwards restrained by grace. Mr. Skinner was short in figure, and extremely light and slender. Disease rather than age had marked his countenance with deep furrows. His complexion was dark, and his black hair at the time of his decease had become deeply grizzled.

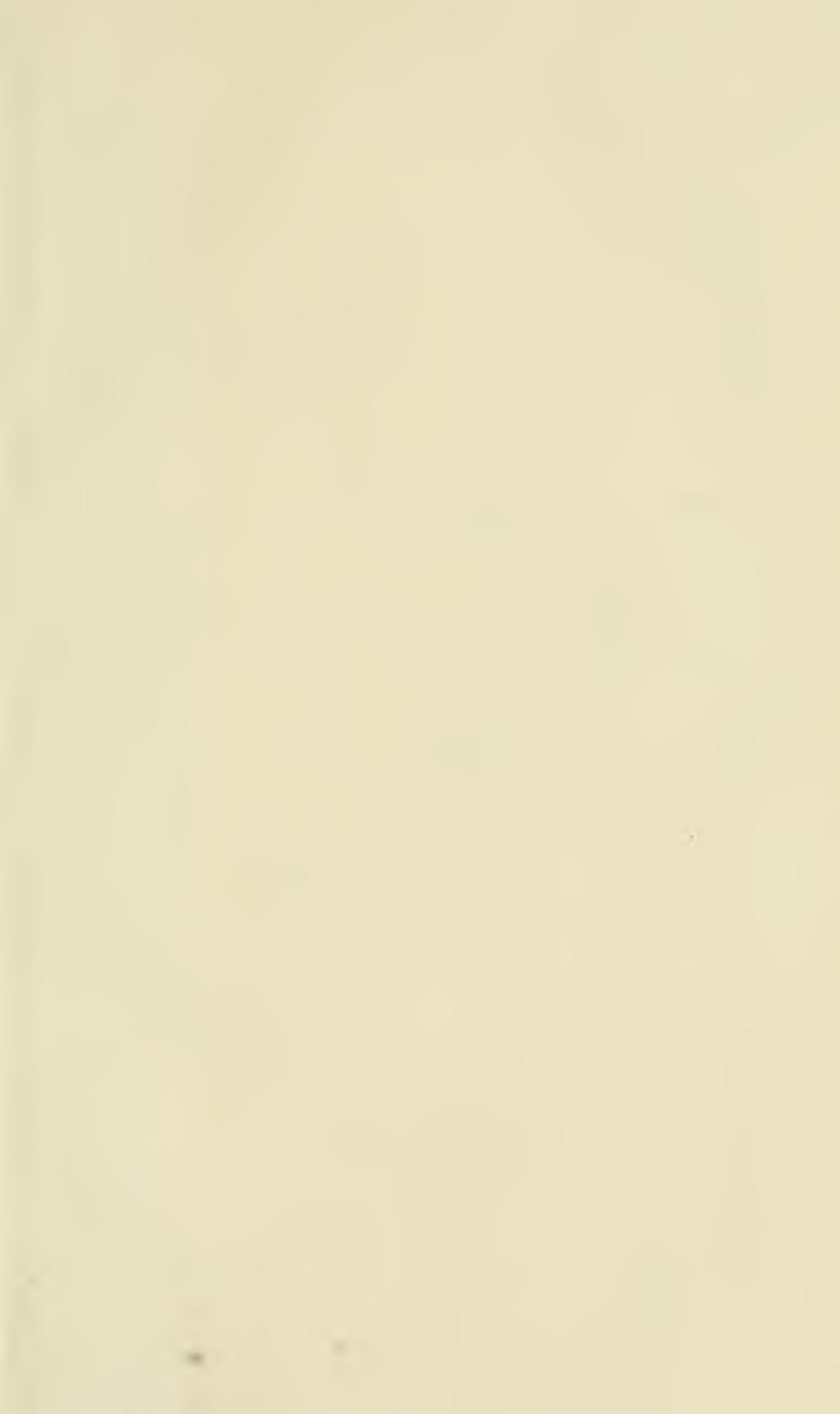
I never perceived or heard suggested that the defects of early education limited the mental powers of Mr. Skinner. I have often thought, however, that his intellectual stature did not attain the ample proportions that nature contemplated. His mind might have received a higher development had he not been cut down in the meridian of life—had not perpetual disease fettered his energies—or had he occupied a broader field of action, in which his faculties might have more widely expatiated.

Amid the common duties of life he was honest, accurate and judicious. In the constitution of his mind, the faculties were so perfectly balanced and so reciprocately subordinated, that while none predominated, each was strengthened and embellished by the combination of the whole. And the affections of his heart, by a singular felicity, were beautifully blended with the qualities of his mind, each moulding and influencing the other.

As a citizen, the patriotism of Mr. Skinner was all controlling and uniform. He venerated and loved with no common passion the Democratic institutions of the country, and he would have incurred any trial, or yielded every sacrifice in their defence and preservation.

Few public men of the nation, as individuals, as citizens or statesmen, have so closely assimilated in their characters and principles, as Richard Skinner, to the beautiful and impressive ideal of the Latin poet:

“Justum ac tenacem prepositi virum:
Non civium ardor prava jubentinm,
Non vultus, instantis tyranni—
Mente quatit solida.”





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